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*Attorneys for Plaintiffs*

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

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10 EMPLOYEE PAINTERS' TRUST; NORTHERN  
NEVADA PAINTERS AND ALLIED TRADES  
11 JOINT APPRENTICESHIP AND TRAINING  
TRUST FUND, each acting by and through its  
12 designated fiduciary, Todd Koch; and  
INTERNATIONAL UNION OF PAINTERS AND  
13 ALLIED TRADES INDUSTRY PENSION  
TRUST FUND, acting by and through its  
14 designated fiduciary, Gary J. Meyers,

15 Plaintiffs,

16 v.

17 SIMAS FLOOR COMPANY, INC., a Nevada  
Corporation; GAIL SIMAS WARD, an Individual;  
18 GREAT AMERICAN INSURANCE COMPANY,  
a foreign corporation; SIMAS FLOOR CO, INC., a  
19 California Corporation doing business as ROBERT  
SIMAS FLOOR CO.; JAMES EDWARD SIMAS,  
20 an Individual and Sole Proprietor doing business as  
J.E. SIMAS FLOORS; CARMICHAEL FLOOR  
21 COMPANY, a foreign corporation; PLATTE  
RIVER INSURANCE COMPANY, a foreign  
22 corporation; BISON CONSTRUCTION, a Nevada  
Corporation; BROWN CONSTRUCTION, INC., a  
23 foreign corporation; GLEN/MAR  
CONSTRUCTION, INC., a foreign corporation; K-  
24 W WESTERN, INC., a Nevada Corporation; K7  
CONSTRUCTION, INC., a Nevada Corporation;  
25 FRANK LEPORI CONSTRUCTION, INC., a  
Nevada Corporation; PELLETT  
26 CONSTRUCTION, LLC, a Nevada limited liability  
company; SUNSERI CONSTRUCTION, INC., a  
27 foreign corporation; WESTERN SURETY  
COMPANY, foreign corporation; TRAVELERS  
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Case No.: 2:12-CV-00848-KJD-VCF

**NOTICE AND ORDER OF  
VOLUNTARY DISMISSAL OF  
DEFENDANT GLEN/MAR  
CONSTRUCTION, INC.  
[FRCP 41(a)(2)]**

1 CASUALTY AND SURETY COMPANY OF  
2 AMERICA, a foreign corporation; MYRON  
3 MARTIN, an Individual; RHONDA MARTIN, an  
4 Individual; THOMAS PELLETT, an Individual;  
5 SABRINA PELLETT, an Individual; JOHN DOES  
6 I - X; and ROES ENTITIES, I-X,

Defendants.

7 The above-named Plaintiffs, acting by and through their counsel, Christensen James &  
8 Martin, pursuant to FRCP Rule 41(a)(2), do hereby dismiss their claims in the above-entitled  
9 action with prejudice against Defendant Glen/Mar Construction, Inc. ("Glen/Mar") upon  
10 Plaintiffs receipt of settlement proceeds from Glen/Mar.

11 DATED this 28th day of January, 2013.

CHRISTENSEN JAMES & MARTIN

By: /s/ Sara D. Cope

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12 IT IS SO ORDERED.

13 Dated this 3rd day of April, 2013.

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DISTRICT COURT JUDGE